



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,633	02/19/2004	Jaime R. Taylor	2826108.000001	5169

44777 7590 03/21/2006  
W. EDWARD RAMAGE  
COMMERCE CENTER SUITE 1000  
211 COMMERCE ST  
NASHVILLE, TN 37201

EXAMINER

HAJNIK, DANIEL F

ART UNIT	PAPER NUMBER
----------	--------------

2628

DATE MAILED: 03/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/782,633

Applicant(s)

TAYLOR ET AL.

Examiner

Daniel F. Hajnik

Art Unit

2671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                            | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to because:

In figure 1 please remove the reference to "U.S. Patent" and "6,097,393" at the top of the page. Specifically, if this application should issue as a future patent this other patent # will make this drawing very confusing.

In figure 4, the shaded boxes make it difficult to read the text inside. Please fix the drawings so that the text in the boxes can clearly be seen. For example, change the shaded box background to a plain white background.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

Art Unit: 2671

the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:

In figure 1, all the reference numbers

In figure 3, part 37

In figure 4, part 57

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1 and 3 are rejected under 35 U.S.C. 102(e) as being anticipated by Alen et al. (US Pub 2004/0046798, herein referred to as "Alen").

As per claim 1, Alen teaches the claimed "providing at least one elevation view of each of a series of objects within a property" by teaching of in figure 5 an elevation view 26 where a series of objects (rooms) are shown within a property 28.

Alen teaches the claimed "associating each of the elevation views with an activation signal" by teaching of "Now referring to FIG. 5, when 'Lobby 27271' option is selected from first set of command options 22, the view presented in first presentation window 26 reflects the same" (paragraph [0035]) where the first presentation window shows an elevation view.

Alen teaches the claimed "associating each of the activation signals with an area of a plan view of the property and simultaneously displaying the plan view with an elevation view chosen by a viewer through selection of an activation signal" by teaching of the list of activation signals, 22 where each signal has a name associated with a location on the property. The plan view is shown in window 28. Further, figure 4,

Art Unit: 2671

likewise shows a similar list of activation signals, 22 which are associated with areas on the property. Further, Alen teaches of "First presentation window 26 presents an adjustable image of the view which may be selected by use of first set of command options 22. Second presentation window 28 presents an architectural plan of the subject property which interrelates to the view selected in the first set of command options 22. Accordingly, by selecting a specific view through first command options 22, the corresponding plan view is presented in second presentation window 28" (paragraph [0034]).

As per claim 3, Alen teaches the claimed "wherein the objects are rooms within a property chosen from the group comprising a single-family home, an apartment complex, a hotel, and a conference center" by teaching of "an architectural plan view" (paragraph [0007]) and by teaching of "The invention relates to a device and method for the sale, lease, rental or portfolio of real estate" (paragraph [0002]) where figure 5 shows rooms within a property.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2671

6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Alen in view of Davenport et al. (US Pub 2004/0103431, herein referred to as "Davenport").

As per claim 2, Alen does not explicitly teach the claimed "wherein the activation signal is a directional icon". Davenport teaches the claimed limitation by teaching of "video icons may include a directional indicator, such as an arrow. For example, a video icon of a panoramic view from a rooftop may indicate the direction of the initial point of view in the video" (paragraph [0079], also see fig 6 where directional icons are shown).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Davenport and Alen. Alen would benefit from the combination because the combination would allow the user or seller to later send important viewpoint information about the property in an efficient manner to area emergency planning agencies i.e. for a school property (Davenport, paragraph [0010]).

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Alen in view of Lee et al. (US Patent 6397208, herein referred to as "Lee").

As per claim 4, Alen does not explicitly teach the claimed "providing at least one hyperlink to direct the viewer to a website providing information about community service providers selected from the group comprising utility companies, schools, churches, vendors, and mortgage companies". However, Lee teaches the claimed limitation by teaching of "locating property in an on-line real estate service using points-of-interest. The invention enables a user to determine the location of property in a

Art Unit: 2671

meaningful way that places the property in the geographic context of shopping centers, schools, mass transportation, and the like" (col 6, lines 55-60).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Alen and Lee. Alen would benefit from the combination because the combination would allow the user to find out information about the property besides the street address even when that user is not intimately familiar with the local area (Lee, col 2, lines 60-65).

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: TourPix.com – The first figure in the printout and the caption to the left side of the figure which describes integrating view points with directional arrows located in the floorplan image.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel F. Hajnik whose telephone number is (571) 272-7642. The examiner can normally be reached on Mon-Fri (8:30A-5:00P).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ulka J. Chauhan can be reached on (571) 272-7782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Art Unit: 2671

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Daniel Klein* 3/15/06

DFH

*Ulka Chauhan*  
ULKA CHAUHAN  
SUPERVISORY PATENT EXAMINER